



PTO/SB/26 (09-04)

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REJECTION OVER A "PRIOR" PATENTDocket Number (Optional)
GEN-011131 C1

In re Application of: Kloepfner et al.

Application No.: 10/662,665

Filed: September 15, 2003

For: Electrochromic Medium Having a Self-Healing Cross-Linked Polymer Gel and Associated Electrochromic Device

The owner*, Gentex Corporation, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term **prior patent** No. 6,635,194 B2 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said **prior patent** is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the **prior patent**, "as the term of said **prior patent** is presently shortened by any terminal disclaimer," in the event that said **prior patent** later:

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- is reissued; or
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2. The undersigned is an attorney or agent of record. Reg. No. _____

Signature 2-23-05DateFrederick T. Bauer
Typed or printed name(616) 772-1800
Telephone Number

Terminal disclaimer fee under 37 CFR 1.20(d) included.

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STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Kloepfner et al.Application No./Patent No.: 10/662,665 Filed/Issue Date: September 15, 2003Entitled: Electrochromic Medium Having a Self-Healing Cross-Linked Polymer Gel and Associated Electrochromic Device

Gentex, a Corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. the assignee of the entire right, title, and interest; or
2. an assignee of less than the entire right, title and interest.
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A. An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 012130, Frame 0742, or for which a copy thereof is attached.

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Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Signature

Date

Frederick T. Bauer

(616) 772-1800

Printed or Typed Name

Telephone Number

Chairman of the Board and Chief Executive Officer

Title

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